

deficiencies listed above (i.e., specification of emission quantification, compliance assurance, and public participation procedures). Namely, the State would need to demonstrate that any potential one-time or carry-over ERCs are or will be consistent with the applicable attainment plan or demonstration, reasonable further progress (RFP) plan or milestone demonstration, and surplus to any applicable areawide RACT emission reduction requirements.

Essentially, this means that the State would need to submit documentation showing that the SIP requires, or will require, reductions equivalent to all potential one-time or carry-over ERCs beyond those reductions required from any applicable RACT, RFP, and/or attainment plan regulations, during the year(s) in which such ERCs are allowed to be used. Alternatively, the State could show that their adopted RACT, RFP, and/or attainment control strategies provide for equivalent reductions below the appropriate RFP or attainment target levels, and any applicable areawide RACT requirements. For example, if a State wanted to allow the use of 10 tons per typical summer day from a previous year, the State would need to show that its adopted control strategies provide for reductions that would create a 10 ton per day excess below the appropriate RFP or attainment target level and RACT requirements.

Additionally, appendix B(3)(g)(5) of the rule generally allows the bank to retain credits without confiscation from the State. However, the regulations also provide the State with the authority to make adjustments, including confiscation, to banked credits if needed for Rate-of-Progress (ROP), Reasonable Further Progress (RFP), or attainment requirements, as stated in appendix B(3)(l). According to appendix B(3)(l), the State would need to revise the SIP to take such action. EPA approves these provisions.

Finally, as mentioned above, although subsection (4) of the regulation has been reserved for the emissions averaging (bubbling) provisions, it was not submitted as part of the February 10, 1994 submittal. Therefore, until such time as a separate SIP revision allowing emissions averaging is approved, no generic emissions averaging would be allowed by approval of these rules.

Based on the issues discussed above, EPA is proposing to approve this revision to the Massachusetts SIP. EPA is soliciting public comments on the issues discussed in this proposal or on other relevant matters. These comments will be considered before taking final

action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the ADDRESSES section of this action.

#### Proposed Action

EPA is proposing approval as a non-generic economic incentive program of 310 CMR 7.00 appendix B, as submitted to the EPA on February 9, 1994, as part of the Massachusetts SIP.

#### Regulatory Process

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993, memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. A future document will inform the general public of these tables. The Office of Management and Budget has exempted this action from review under Executive Order 12866.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co. v. U.S. E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410 (a)(2).

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any State implementation plan. Each request for revision to the State implementation plan shall be considered separately in light of specific technical, economic,

and environmental factors and in relation to relevant statutory and regulatory requirements.

The Administrator's decision to approve or disapprove the SIP revision will be based on whether it meets the requirements of sections 110(a)(2) (A)-(K) and 110(a)(3) of the Clean Air Act, as amended, and EPA regulations in 40 CFR part 51.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

**Authority:** 42 U.S.C. 7401-7671q.

**Dated:** January 31, 1995.

**John P. DeVillars,**

*Regional Administrator, Region I.*

[FR Doc. 95-4296 Filed 2-21-95; 8:45 am]

**BILLING CODE 6560-50-P**

#### 40 CFR Part 63

[AD-FRL-5160-3]

#### National Emission Standards for Hazardous Air Pollutants; Proposed Standards for Hazardous Air Pollutant Emissions From Wood Furniture Manufacturing Operations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Extension of comment period.

**SUMMARY:** The EPA is extending the period for public comment regarding the Agency's proposed standards for hazardous air pollutant emissions from wood furniture manufacturing operations.

**DATES:** Written comments on the proposed rule must be received on or before March 23, 1995. Written comments pertaining only to the proposed test Method 311 must be received on or before April 24, 1995. Comments should be submitted in duplicate, and on computer disk, if possible.

**ADDRESSES:** Send comments to: Air and Radiation Docket and Information Center (6102), Attention, Docket No. A-93-10, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

**Docket.** Docket No. A-93-10, containing supporting information used in developing the proposed standards, is available for public inspection and copying between 8:30 a.m. and 5:00 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center, Waterside Mall,

Room M-1500, 1st Floor, 401 M Street, SW., Washington, DC 20460. Telephone (202) 260-7548. FAX (202) 260-4400.

The proposed regulatory text, proposed test Method 311 and other materials related to this rulemaking are available for review in the docket. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:**

For information concerning the proposed standards, contact Dr. Madeleine Strum at (919) 541-2383, Coatings and Consumer Products Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711. For further information concerning the proposed test Method 311, contact Mr. Gary McAlister at (919) 541-1062, Source Categorization Group B, Emissions Monitoring and Analysis Division (MD-19), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

**SUPPLEMENTARY INFORMATION:** On December 6, 1994, EPA published proposed standards to limit emissions of hazardous air pollutants (HAP) from existing and new wood furniture manufacturing operations located at major sources. The proposed standards implement section 112(d) of the Clean Air Act as amended, which require the Administrator to regulate emissions of HAP listed in section 112(b) of the Act. The EPA also proposed Method 311, to be used to assist in demonstrating compliance with the proposed emission limitations.

The comment period was scheduled to close on February 21, 1995. Industry has requested a 60-day extension of the comment period to complete testing of the proposed test Method 311. In response to this request, the Agency is extending the comment period for the proposed Method 311 to April 24, 1995. The comment period for the proposed rule, however, will be extended by only 30 days, and is thus extended to March 23, 1995. All interested parties are encouraged to submit comments prior to that date.

Dated: February 16, 1995.

**Mary D. Nichols,**

*Assistant Administrator for Air and Radiation.*

[FR Doc. 95-4454 Filed 2-21-95; 8:45 am]

BILLING CODE 6560-50-M

**40 CFR Parts 63 and 430**

[FRL-5156-5]

**RIN 2060-AD03 and 2040-AB53**

**Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category; National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of data availability.

**SUMMARY:** On December 17, 1993, EPA proposed standards to reduce the discharge of water pollutants and emissions of hazardous air pollutants from the pulp, paper, and paperboard industry (58 FR 66078). This action announces the availability of additional data that EPA will consider for the promulgation of hazardous air pollutant emission standards for this industry.

**DATES:** Comments are not solicited at this time.

**ADDRESSES:** The data being announced today has been placed in Air Docket A-92-40. The docket is available for public inspection and copying between 8 a.m. and 4 p.m., Monday through Friday, at the EPA Air Docket Section, Waterside Mall, room M1500, U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Najarian, Waste and Chemical Processes Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, 27711, telephone number (919) 541-5393.

**SUPPLEMENTARY INFORMATION:** On December 17, 1993 (58 FR 66078), EPA proposed standards to reduce the discharge of water pollutants and emissions of hazardous air pollutants from the pulp, paper, and paperboard industry. The period for receiving public comments on the proposed rule ended on April 18, 1994; however, EPA stated in the preamble to the proposed rule that various industry groups were collecting air emissions data that would not be available until after the comment period and that the Agency would still consider that data for the promulgation of the air emission standards.

The additional data being announced today includes the following items located in Air Docket A-92-40: (1) A 16-mill study conducted by the National Council of the Paper Industry for Air

and Stream Improvement (NCASI), items II-I-77 through II-I-79, IV-D-8, IV-D1-20 through IV-D1-22, IV-J-1 through IV-J-4, IV-J-6 through IV-J-14, and IV-J-16; (2) a 10-mill study conducted by International Paper, items IV-J-18 through IV-J-27; (3) a 5-mill study conducted by the Texas Paper Industry Environmental Committee, items II-I-13 to II-I-18; (4) a condensate study, items IV-D1-16 and IV-D1-18. NCASI prepared summaries of their testing program in NCASI technical bulletins, items IV-D1-29, IV-D1-29A, IV-D1-31, IV-D1-33 through IV-D1-35, IV-D1-38, IV-D1-39, IV-D1-41, and IV-D1-42. EPA has also prepared draft summaries of the NCASI and Texas studies, items IV-A-2 and IV-A-3, respectively.

EPA is not soliciting comment on the new data at this time so that the public will have an expanded opportunity to review the data. The reports added to the Air Docket consist of multi-volume test reports from numerous testing programs and summaries of two of the testing programs. The Agency will solicit comment on these data in a subsequent notice.

EPA also anticipates that additional data regarding both air emissions and effluent discharges will be published after today's notice. An additional announcement will be posted at a later date presenting further data and soliciting comments of all announced data.

Dated: February 13, 1995.

**Richard D. Wilson,**

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. 95-4293 Filed 2-21-95; 8:45 am]

BILLING CODE 6560-50-P

**40 CFR Part 81**

[A-1-FRL-5156-8]

**Clean Air Act Promulgation of Extension of Attainment Date for Ozone Nonattainment Area; Maine**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to extend by one year the attainment date for the Hancock and Waldo Counties, Maine ozone nonattainment area, a marginal nonattainment area. This proposal is based in part on monitored air quality readings for the national ambient air quality standard for ozone during 1993.

**DATES:** Comments on this proposal must be received by March 24, 1995.